

**United States District Court**  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

Plaintiff,

No. C 10-03561 WHA

v.

GOOGLE INC.,

**SPECIAL VERDICT FORM**

Defendant.

/

**YOUR ANSWER MUST BE UNANIMOUS.**

1. As to the compilable code for the 37 Java API packages in question taken as a group:

A. Has Oracle proven that Google has infringed the overall structure, sequence and organization of copyrighted works?

Yes \_\_\_\_\_ No \_\_\_\_\_

(IF YOU ANSWER “NO” TO QUESTION 1A, THEN SKIP TO QUESTION NO. 2.)

B. Has Google proven that its use of the overall structure, sequence and organization constituted “fair use”?

Yes \_\_\_\_\_ No \_\_\_\_\_

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1       2. As to the documentation for the 37 Java API packages in question taken as a  
2 group:

3           A. Has Oracle proven that Google has infringed?

4           Yes \_\_\_\_\_                          No \_\_\_\_\_

5  
6           **(IF YOU ANSWER “NO” TO QUESTION 2A, THEN SKIP TO QUESTION NO. 3.)**

7  
8           B. Has Google proven that its use of Oracle’s Java documentation  
9           constituted “fair use”?

10           Yes \_\_\_\_\_                          No \_\_\_\_\_

11  
12           3. Has Oracle proven that Google’s conceded use of the following was infringing,  
13           the only issue being whether such use was de minimis:

	<b>Yes</b>	<b>No</b>
A. The rangeCheck method in TimSort.java and ComparableTimSort.Java	_____	_____
B. Source code in seven “Impl.java” files and the one “ACL” file	_____	_____
C. The English-language comments in CodeSourceTest.java and CollectionCertStoreParameters Test.java	_____	_____

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1           4. Answer the following special interrogatories only if you answer "yes" to Question  
2           1A.

7 Yes \_\_\_\_\_ No \_\_\_\_\_

9           B. If so, has Google proven that it in fact reasonably relied on such conduct  
10           by Sun and/or Oracle in deciding to use the structure, sequence, and  
11           organization of the copyrighted compilable code without obtaining a  
12           license?

13 Yes \_\_\_\_\_ No \_\_\_\_\_

15 Your answer will be used by the judge with issues he must decide. These interrogatories  
16 do not bear on the issues you must decide on Questions 1 to 3.

19 || Dated:

## **FOREPERSON**